



CIVIL RIGHTS

CRIMINAL JUSTICE

For-profit federal prison an understaffed 'hell hole' of violence, death and drugs

CoreCivic's Leavenworth Detention Center houses detainees awaiting trial in U.S. District Court in Missouri and Kansas

BY: **ALLISON KITE** - OCTOBER 7, 2021 5:55 AM



📷 Melody Brannon, federal public defender in Kansas, said her clients who are being detained at CoreCivic's Leavenworth Detention Center are terrified. The jail is a hotbed for drugs and violence. (Thad Allton for Kansas Reflector)

LEAVENWORTH, Kan. — Dangerous understaffing, pervasive drugs and a stockpile of

[Case 3:22-cv-00093](#) [Document 48-1](#) [Filed 06/24/22](#) [Page 1 of 10](#) [PageID #: 4230](#)

weapons have transformed a private detention center in Kansas into a “hell hole” where violence is routine and inmates are still on lockdown after one was beaten to death this summer.

The Leavenworth Detention Center, a pretrial lockup run by the [nation's largest private prison operator, CoreCivic](#), has been the site of two suicides and at least 10 severe beatings and stabbings this year, according to attorneys representing inmates there. Guards have quit rather than face the dangers.

[Federal public defenders and ACLU chapters in the region implored](#) Leavenworth County officials and the White House in a letter last month to shut down the facility when CoreCivic's contract ends in December, citing the dire conditions. And former correctional officers, the U.S. marshal for Kansas, the widow of a deceased inmate, and a federal judge have all sounded the alarm about the Leavenworth Detention Center.

“The only way I could describe it frankly, what’s going on at CoreCivic right now is it’s an absolute hell hole,” said U.S. District Judge Julie Robinson during a sentencing hearing in September.

“The court is aware of it,” she said. “The defense bar is aware of it. The prosecutors are aware of it. The United States Marshals are aware of it.”

For years, CoreCivic's Leavenworth facility, which houses an average of 900 inmates at a time, has been dangerously understaffed. [An audit in 2017](#) found that its officer vacancy rate, at one point, reached nearly 25%.

Guards employed there as recently as July and September said the facility didn't have enough officers to consistently staff “bubble” posts, where guards monitor pods from secure rooms so they can quickly call for help if an officer is attacked. Single guards have been assigned to monitor multiple pods at once, meaning that to check on one group of inmates, they have to leave another unattended.

Contraband and weapons are commonplace, and guards said they don't know what to expect when they enter a pod.

In February, two employees were stabbed and beaten, with injuries so severe they required multiple surgeries. Two inmates have died by suicide this year. A third was beaten to death by fellow inmates.

“I have clients that have been in the hardest federal prisons and know how to do hard time, and they're terrified,” said Melody Brannon, federal public defender for the District of Kansas.

Following that inmate's death, the facility was placed on lockdown, forcing inmates to spend nearly 24 hours a day in their cells. Brannon said as of Monday the jail had not resumed normal operations, “although some of the pods had earned some privileges back.”

According to a memo Brannon said was supplied to inmates, the facility began a “progressive release program” in mid August. In “phase one,” inmates would have an hour and a half of time in their day rooms each day and two hot meals and a sack dinner. Commissary was limited to hygiene products and writing materials.

During the lockdown in early August, inmates only had access to medical visits if it was an emergency, according to another memo.

In an email, CoreCivic spokesman Ryan Gustin said leaders at the jail have a plan to return all pods to normal operations based on inmates’ behavior, which is being evaluated daily. While he said no pods were on “full lockdown status,” he described the same restrictions on day room time and said every housing pod has access to electronic tables, legal and sick calls and commissary.

Years ago, the Leavenworth Detention Center was a well-run facility, said Laine Cardarella, the public defender for the U.S. District Court in western Missouri.

“At this point,” she said, “it feels out of control.”

CoreCivic, based in Nashville, Tennessee, and previously known as Corrections Corporation of America, has operated the Leavenworth Detention Center through a contract with the U.S. Marshals Service since 1992. It primarily houses individuals who have been charged and are awaiting trial in federal courts in Kansas, Nebraska, Iowa and western Missouri. Its contract expires at the end of the year and is not expected to be renewed because of an [executive order President Joe Biden issued in January](#), prohibiting the Department of Justice from renewing leases with private prisons.

The company declined to make available any corporate representatives or the Leavenworth facility’s new warden. It requested a list of questions via email, but instead of answering them, the company referred to a statement it made [last month when it called accusations by the region’s public defenders](#) and ACLU chapters that its facility was understaffed and poorly managed “false and defamatory.”

“We deny the specious and sensationalized allegations contained in this letter related to CoreCivic and our Leavenworth Detention Center,” Gustin said.

The company failed to address questions about violence and contraband and blamed the COVID-19 pandemic for staffing challenges that have plagued the facility for much longer.

“These allegations are designed to exert political pressure rather than to serve as an objective assessment of the work our dedicated ... staff has done to serve the needs of the United States Marshals Service,” Gustin said.

The U.S. Attorney’s Office for the District of Kansas declined to comment.

A steep decline



📷 CoreCivic's Leavenworth Detention Center is a hotbed for drugs and violence (Allison Kite/Missouri Independent).

CoreCivic has failed over the years to keep its facility fully staffed.

A 2017 audit by the Department of Justice's Office of the Inspector General found that, at one time, nearly one quarter of the facility's correctional officer jobs were vacant. It couldn't staff mandatory security posts.

In 2011, it was triple-bunking inmates in cells designed for two people but uninstalled the beds to conceal it from the American Correctional Association, which sets standards for and audits jails, according to the same audit.

“Because many of these posts were considered ‘mandatory,’ or required continuous staffing, the (Leavenworth Detention Center's) failure to consistently fill these posts compromised its ability to run the facility in a safe and secure manner,” the audit said.

CoreCivic did not release updated staffing information as requested for this article.

In its response to the ACLU and public defenders' letter, the company blamed the COVID-19 pandemic for what it said were “extraordinary challenges” for public and private corrections facilities.

In 2016, detainees sued CoreCivic because the facility illegally recorded phone calls they had with their attorneys and provided them to prosecutors. The company [settled with 500 detainees for \\$1.45 million in 2019](#) and settled with attorneys this year.

It was around that time that Cardarella said she noticed the facility start to change. That has accelerated in the last couple of years, she said.

When the COVID-19 pandemic set in, she said her office halted in-person meetings at CoreCivic and worked with Brannon to make sure there were iPads in the facility, but the lack of visits from attorneys and family members didn't sit well with inmates.

"I don't know what happened at CoreCivic – it just became a more violent place," Cardarella said.

Guards who have left CoreCivic in the past year and a half say the facility is dangerously understaffed. They said officers are routinely assigned to multiple pods at the same time, meaning that while they check on one group of inmates, another is left unsupervised.

Justin Chmidling said the facility was short-staffed when he started working there in February of 2019, but it was "nowhere near where it is now."

"We actually had staff that was posted in every area when I started," Chmidling said, "and we actually had people showing up to do the jobs. Whereas when I was leaving, we had one person working in six different pods."

Chmidling and other former officers said the facility rarely assigns staff to work in "bubble" posts. Officers said having those posts staffed gives peace of mind to the people working inside the pods that help will come if something happens to them.

During the 2017 audit, officers told the DOJ the same. They feared if something went wrong in a housing pod another officer would take far longer to get to them.

William Rogers, who worked at CoreCivic until July of 2020, said he wrote to the former warden in December 2018 saying it was unsafe to shut down bubbles.

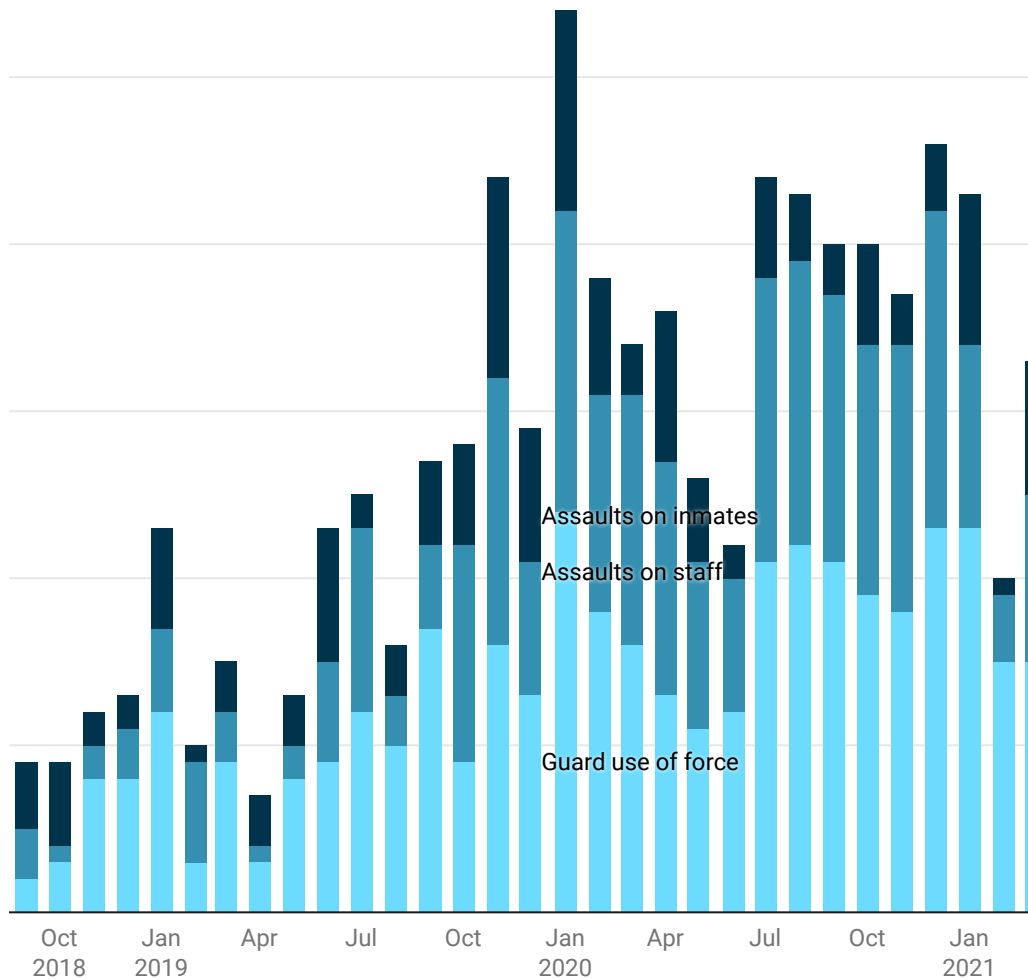
"And nine days after I sent the warden a letter about my concerns, I was assaulted in a pod with no bubble and got 14 staples in my head," he said.

Rogers said he was assaulted about seven times in his four and a half years at CoreCivic, including being stabbed in the hand in March 2020. He was fired for pushing an inmate after a verbal altercation.

Last fall, Kansas Reflector reported [CoreCivic was failing to contain COVID-19 outbreaks](#) in the jail. It didn't provide testing for detainees exposed to the virus and, in some cases, refused to test inmates who showed symptoms of the virus.

Violence at CoreCivic Leavenworth

The number of violent incidents or uses of force by CoreCivic staff has been on the rise in the last three years, according to data the company supplied as part of court sentencing.



Violence and drugs

With such minimal staffing, Brannon said inmates have no faith guards will come if there's a problem. She said inmates are in danger unless they arm themselves.

"Everybody is left to fend for themselves and to defend themselves," Brannon said. "Weapons are everywhere. Drugs are everywhere. People have to take care of themselves in whatever way they can."

Guards said it didn't matter how many times they "shook down" – or searched – the jail's pods. They always found more weapons. This year alone, according to the letter public defenders and the ACLU wrote, more than half a dozen inmates have been stabbed.

Early this year, one female staff member was attacked entering a pod. A trainee came to her aid, and both were stabbed repeatedly and rushed to the hospital and needed multiple surgeries.

CoreCivic's own data, supplied to public defenders as part of sentencing proceedings for an inmate, show that the number of violent outbursts in the prison's walls has climbed in the last three years.

Scott Wilson was being held at CoreCivic after failing to show up at a residential reentry center to serve the last part of his sentence for violating conditions of a previous release from prison. Only a few months into his stay, he was beaten by a fellow inmate until he had to be taken to the hospital. He died a few days later.

His widow, Wendi Anaya-Wilson, said in a statement that her husband often told her guards were scarce.

"He was only looking at 8 to 14 months, but instead he got the death penalty," Anaya-Wilson said. "Something needs to be done about (CoreCivic) in Leavenworth, Kansas, before someone else loses their life because the facility is understaffed and poorly managed."

Drugs, including the synthetic cannabinoid K2, are rampant in the facility, guards and public defenders said. In late September, two [former guards were indicted by a federal grand jury](#) for accepting bribes for smuggling in packs of cigarettes and supplying inmates with meth and weed.

One of the guards faces up to 40 years in prison. The other could serve 10.

"The K2 is so bad in there, you can walk down a hallway clear on the opposite (side) of the building and you can smell the K2 in the hallway," Chmidling said.

Everyone knows it

Despite CoreCivic's denials, court and law enforcement personnel in close contact with the facility are in agreement that the facility has problems.

"It's not as safe as it should be," said Ron Miller, U.S. marshal for the District of Kansas. "And I've made those points to CoreCivic, and they are attempting to address them. But in the recent past, they have not been as successful as they should have been."

Cassie Fenton-Sayles, who worked there as a case manager, quit last year after she said the warden brushed off her concerns about the rampant drug use and violence in the facility.

"I think I just had enough," she said. "It's hard going to a job every day where you don't know if you're going to go home. ... Staff assaults were on the rise. Inmate assaults were on the rise. And I just — one day I just had enough and decided to go home."



William Rogers, a former guard at the Leavenworth Detention Center, was struck in the head with a tray while working there.(William Rogers/Submitted).

Fenton-Sayles filed for unemployment benefits, which are normally not granted to people who leave their jobs voluntarily. But because the facility was so dangerous, she successfully made the case she had no other option but to quit.

Robinson, the district court judge, said in a hearing as she weighed how long to sentence an inmate currently being held at CoreCivic that she was “troubled” by the direction of the facility.

“So that’s no news to me as well, all that’s going on there and causing trauma to everybody – guards are being traumatized,” she said. “Guards have almost been killed. Detainees are being traumatized with assaults and batteries, and not long ago a detainee was killed.”

She said the Marshals Service is working to move people out of the facility as its contract comes to a close.

A looming deadline

CoreCivic’s contract to operate the Leavenworth Detention Center ends Dec. 31.

Biden signed an executive order early this year barring the Department of Justice from renewing contracts with private prison operators, saying that to decrease mass incarceration, the federal government needed to “reduce profit-based incentives to incarcerate.”

“Privately operated criminal detention facilities consistently underperform federal facilities with respect to correctional services, programs and resources,” the order says. “We should ensure that time in prison prepares individuals for the next chapter of their lives.”

CoreCivic’s statement from a month ago pushed back on the idea that it contributed to mass incarceration.

“Only 8% of inmates are cared for in facilities run by private contractors, and under a longstanding, zero-tolerance policy, CoreCivic doesn’t draft, lobby for or promote legislation that determines the basis or duration of an individual’s incarceration,” Gustin said.

The company asked Leavenworth County to consider taking over the contract with the Marshals and then subcontract with CoreCivic to run it, creating a pass-through agreement to skirt the executive order, [the Leavenworth Times reported](#).

CoreCivic has been able to maintain control of other facilities that way. In Ohio, the Cleveland Plain-Dealer reported [Mahoning County Commission agreed to such an arrangement](#) to avoid having hundreds of inmates move several hours away from their defense attorneys.

Leavenworth County rebuffed the company, according to the Times.

Now, Miller said, the U.S. Marshals are working to move inmates ahead of the Dec. 31 deadline. The agency also has contracts with county jails in the region, but there likely isn’t enough room for all of the detainees at CoreCivic.

Whether they'll sign more jail contracts or find a way to move inmates to the nearby U.S. Penitentiary in Leavenworth isn't yet clear.

Katrina Clifton, who was fired from the facility earlier this year following an altercation with a coworker, said CoreCivic was only interested in its profits.

"They could care less," she said, "about the safety of their employees."

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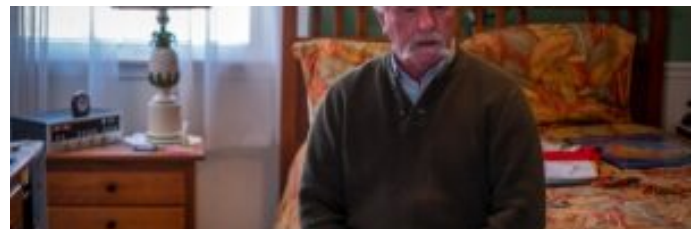
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